

Model for Letters of Request recommended for use in applying the Hague Convention of 18 March 1970 on the Taking of Evidence Abroad in Civil or Commercial Matters

Request for International Judicial Assistance pursuant to the Hague Convention of 18 March 1970 on the Taking of Evidence Abroad in Civil or Commercial Matters

N.B. Under the first paragraph of Article 4, the Letter of Request shall be in the language of the authority requested to execute it or be accompanied by a translation into that language. However, the provisions of the second and third paragraphs may permit use of English, French or another language.

In order to avoid confusion, please spell out the name of the month in each date.

Please fill out an original and one copy of this form (use additional space if required).

1. Sender

United States District Court for the District of Massachusetts
One Courthouse Way
Boston, MA 02110

2. Central Authority of the Requested State

The Israeli Central Authority
Directorate of Courts
19 Jaffa Road
Jerusalem

3. Person to whom the executed request is to be returned

Lawrence Green, Esq.
Burns & Levinson, LLP
125 Summer Street
Boston, MA 02110

4. Specification of the date by which the requesting authority requires receipt of the response to the Letter of Request

Date

October 1, 2008

Reason for urgency*

[Large empty rectangular box for writing the reason for urgency.]

* Omit if not applicable.

IN CONFORMITY WITH ARTICLE 3 OF THE CONVENTION, THE UNDERSIGNED APPLICANT HAS THE HONOUR TO SUBMIT THE FOLLOWING REQUEST:

5. a	Requesting judicial authority (Article 3, a))	United States District Court for the District of Massachusetts One Courthouse Way Boston, MA 02110																		
b	To the competent authority of (Article 3, a))	Israeli Central Authority Directorate of Courts 19 Jaffa Road Jerusalem																		
c	Names of the case and any Identifying number	Sheldon G. Adelson v. Moshe Hananel C.A. No.: 04-cv-10357-RCL																		
<p>6. Names and addresses of the parties and their representatives (including representatives in the requested State*) (Article 3, b))</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 15%;">a</td> <td>Plaintiff</td> <td style="border: 1px solid black; padding: 5px;">Sheldon G. Adelson</td> </tr> <tr> <td colspan="2" style="text-align: center; padding-top: 10px;">Representatives</td> <td style="border: 1px solid black; padding: 5px;"> Franklin H. Levy, Esq. Duane Morris, LLP 470 Atlantic Avenue, Suite 500 Boston MA 02110 </td> </tr> <tr> <td style="width: 15%;">b</td> <td>Defendant</td> <td style="border: 1px solid black; padding: 5px;">Moshe Hananel</td> </tr> <tr> <td colspan="2" style="text-align: center; padding-top: 10px;">Representatives</td> <td style="border: 1px solid black; padding: 5px;"> Lawrence G. Green, Esq. Burns & Levinson, LLP 125 Summer Street Boston, MA 02110 </td> </tr> <tr> <td style="width: 15%;">c</td> <td>Other parties</td> <td style="border: 1px solid black; padding: 5px;"></td> </tr> <tr> <td colspan="2" style="text-align: center; padding-top: 10px;">Representatives</td> <td style="border: 1px solid black; padding: 5px;"></td> </tr> </table>			a	Plaintiff	Sheldon G. Adelson	Representatives		Franklin H. Levy, Esq. Duane Morris, LLP 470 Atlantic Avenue, Suite 500 Boston MA 02110	b	Defendant	Moshe Hananel	Representatives		Lawrence G. Green, Esq. Burns & Levinson, LLP 125 Summer Street Boston, MA 02110	c	Other parties		Representatives		
a	Plaintiff	Sheldon G. Adelson																		
Representatives		Franklin H. Levy, Esq. Duane Morris, LLP 470 Atlantic Avenue, Suite 500 Boston MA 02110																		
b	Defendant	Moshe Hananel																		
Representatives		Lawrence G. Green, Esq. Burns & Levinson, LLP 125 Summer Street Boston, MA 02110																		
c	Other parties																			
Representatives																				

* Omit if not applicable.

7. a	Nature of the proceedings (divorce, paternity, breach of contract, product liability, etc.) (Article 3, c))	Declaratory judgment regarding employment contract.
b	Summary of complaint	Parties' employment agreement for investment options.
c	Summary of defence and counterclaim*	
d	Other necessary information or documents*	
8. a	Evidence to be obtained or other judicial act to be performed (Article 3, d))	Examination of witness
b	Purpose of the evidence or judicial act sought	
9.	Identity and address of any person to be examined (Article 3, e))*	Itach David 1130 Herzl Street Beith Shemesh
10.	Questions to be put to the persons to be examined or statement of the subject-matter about which they are to be examined (Article 3, f))*	Itach David will be examined regarding Hananel's work with Adelson (including before December, 1995).

* Omit if not applicable.

11. Documents or other property to be inspected (Article 3, g)*

12. Any requirement that the evidence be given on oath or affirmation and any special form to be used (Article 3, h)*

All deposition testimony is to be given under oath.

13. Special methods or procedure to be followed (e.g. oral or in writing, verbatim, transcript or summary, cross-examination, etc.) (Articles 3, i) and 9)*

Defendant's counsel is to conduct the depositions.

14. Request for notification of the time and place for the execution of the Request and identity and address of any person to be notified (Article 7)*

15. Request for attendance or participation of judicial personnel of the requesting authority at the execution of the Letter of Request (Article 8)*

16. Specification of privilege or duty to refuse to give evidence under the law of the State of origin (Article 11, b))*

17. The fees and costs incurred which are reimbursable under the second paragraph of Article 14 or under Article 26 of the Convention will be borne by*

DATE OF REQUEST

July 25, 2008

SIGNATURE AND SEAL OF REQUESTING AUTHORITY



Check all entries

Print